



Order Filed on May 7, 2019  
by Clerk  
U.S. Bankruptcy Court  
District of New Jersey

UNITED STATES BANKRUPTCY COURT DISTRICT OF NEW JERSEY	
Caption in Compliance with D.N.J. LBR 9004-1(b)	
820015 PHELAN HALLINAN DIAMOND & JONES, PC 1617 JFK Boulevard, Suite 1400 Philadelphia, PA 19103 856-813-5500 Attorneys for U.S. BANK TRUST, N.A., AS TRUSTEE FOR LSF10 MASTER PARTICIPATION TRUST, BY CALIBER HOME LOANS, INC., AS ITS ATTORNEY IN FACT	
In Re:	
Stephen Agresta	
Debtor(s)	

Case No.: 18-13271 - ABA

Hearing Date: 05/07/2019 @ 10:00 AM

Judge: Andrew B. Altenburg, Jr


Chapter: 13

Recommended Local Form: ☐ Followed ☒ Modified

### ORDER VACATING STAY AND CO-DEBTOR STAY

\_\_\_\_ The relief set forth on the following page is hereby **ORDERED**.

**DATED: May 7, 2019**

  
\_\_\_\_\_  
Honorable Andrew B. Altenburg, Jr.  
United States Bankruptcy Court

Upon the motion of U.S. BANK TRUST, N.A., AS TRUSTEE FOR LSF10 MASTER PARTICIPATION TRUST, BY CALIBER HOME LOANS, INC., AS ITS ATTORNEY IN FACT, under Bankruptcy Code section 362(a) for relief from the automatic stay as to certain property as hereinafter set forth, and for cause shown, it is

ORDERED that the automatic stay is vacated to permit the movant to institute or resume and prosecute to conclusion one or more actions in the court(s) of appropriate jurisdiction to pursue the movant's rights in the following:

☒ Real Property more fully described as:

3 CRICKET LANE, CHERRY HILL, NJ 08003

It is further ORDERED that the movant, its successors or assignees, may proceed with its rights and remedies under the terms of the subject mortgage and pursue its state court remedies including, but not limited to, taking the property to sheriff's sale, in addition to potentially pursuing other loss mitigation alternatives, including, but not limited to, a loan modification, short sale or deed-in-lieu foreclosure. Additionally, any purchaser of the property at sheriff's sale (or purchaser's assignee) may take any legal action for enforcement of its right to possession of the property.

☐ Personal property more fully described as:

It is further **ORDERED** that the co-debtor stay under 11 U.S.C. 1301 is vacated as to the co-debtor, SAMUEL AGRESTA and ROCCHINA R. AGRESTA, to permit U.S. BANK TRUST, N.A., AS TRUSTEE FOR LSF10 MASTER PARTICIPATION TRUST, BY CALIBER HOME LOANS, INC., AS ITS ATTORNEY IN FACT to pursue its rights in the real property described above and as to the co-debtor, SAMUEL AGRESTA and ROCCHINA R. AGRESTA.

It is further **ORDERED** that the movant may join the debtor and any trustee appointed in this case as defendants in its action(s) irrespective of any conversion to any other chapter of the Bankruptcy Code.

The movant shall serve this order on the debtor, any trustee and any other party who entered an appearance on the motion.

*rev. 7/12/16*

**Certificate of Notice Page 4 of 4**  
United States Bankruptcy Court  
District of New Jersey

In re:  
Stephen Agresta  
Debtor

Case No. 18-13271-ABA  
Chapter 13

**CERTIFICATE OF NOTICE**

District/off: 0312-1

User: admin  
Form ID: pdf903

Page 1 of 1  
Total Noticed: 1

Date Rcvd: May 08, 2019

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on May 10, 2019.

db +Stephen Agresta, 1001 Kresson Road, Cherry Hill, NJ 08003-2724

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.  
NONE. TOTAL: 0

\*\*\*\*\* BYPASSED RECIPIENTS \*\*\*\*\*

NONE. TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: May 10, 2019

Signature: /s/Joseph Speetjens

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**CM/ECF NOTICE OF ELECTRONIC FILING**

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on May 8, 2019 at the address(es) listed below:

Allen I Gorski on behalf of Creditor Gorski & Knowlton PC agorski@gorskiknowlton.com  
Charles D Whelan, III on behalf of Creditor Total Rental Inc. whelaw@ix.netcom.com  
Isabel C. Balboa ecfmail@standingtrustee.com, summarymail@standingtrustee.com  
Isabel C. Balboa on behalf of Trustee Isabel C. Balboa ecfmail@standingtrustee.com, summarymail@standingtrustee.com  
Jennifer R. Gorchow on behalf of Trustee Isabel C. Balboa jgorchow@standingtrustee.com  
Mark K. Smith on behalf of Debtor Stephen Agresta markksmithlaw@aol.com, Romasmith@aol.com  
Melissa S DiCerbo on behalf of Creditor THE BANK OF NEW YORK MELLON FKA THE BANK OF NEW YORK, AS TRUSTEE FOR THE CERTIFICATEHOLDERS OF CWABS, INC., ASSET-BACKED CERTIFICATES, SERIES 2007-13 nj-ecfmail@mwc-law.com, nj-ecfmail@ecf.courtdrive.com  
Melissa S DiCerbo on behalf of Creditor U.S. Bank Trust, N.A., as Trustee for LSF10 Master Participation Trust nj-ecfmail@mwc-law.com, nj-ecfmail@ecf.courtdrive.com  
Nicholas V. Rogers on behalf of Creditor U.S. BANK TRUST, N.A., AS TRUSTEE FOR LSF10 MASTER PARTICIPATION TRUST nj.bkecf@fedphe.com  
Rebecca Ann Solarz on behalf of Creditor THE BANK OF NEW YORK MELLON FKA THE BANK OF NEW YORK, AS TRUSTEE FOR THE CERTIFICATEHOLDERS OF CWABS, INC., ASSET-BACKED CERTIFICATES, SERIES 2007-13 rsolarz@kmlawgroup.com  
Robert Davidow on behalf of Creditor U.S. BANK TRUST, N.A., AS TRUSTEE FOR LSF10 MASTER PARTICIPATION TRUST, BY CALIBER HOME LOANS, INC., AS ITS ATTORNEY IN FACT nj.bkecf@fedphe.com  
U.S. Trustee USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 12